

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39826 of 2025

Arising Out of PS. Case No.-244 Year-2024 Thana- NEORA District- Patna

Priyanshu Kumar @ Priyanshu Choudhary S/o- Vinod Choudhary Village-
Neora Bazar PS-Neora District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priti Kumari D/o- Uday Pandit Village- Mainpura Anda Ps- Phulwarisharif
Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Kumar, Adv
For the Opposite Party/s : Mr.Jai Narain Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Special POCSO Case No. 357 of 2024 arising out of Neora P.S.
Case No. 244 of 2024 registered for the offences punishable
under Sections 65(1) of the of the BNS and Section 4 and 6 of
the POCSO Act

3. As per allegation in the FIR, petitioner has
committed rape upon the victim girl in the bush.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner and the informant was in love affairs and



petitioner wants to marry her. Moreover, he has married the victim girl on 10.01.2025 according to Hindu Rites and Customs after the alleged occurrence. He further submits that she was major at the time of alleged occurrence as per the birth certificate issued by the Department of Planning and Development, New Capital Circle, Patna Municipal Corporation. She is also major as per the Adhar Card. It is also submitted that petitioner is in judicial custody since 24.02.2025.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. Learned counsel for the informant vehemently opposes the prayer for bail.

7. On perusal of the FIR, entire case diary and impugned order dated 07.04.2025, it appears that victim girl was born on 15.04.2008 and she was minor when the rape was committed upon her which is apparent from paragraph 97 of the case diary. It is also apparent from the medical report that the age of the girl was 16 to 17 years which shows that she was minor at the time of occurrence. Moreover, witnesses has supported the prosecution which is apparent from paragraph 18 and 19 of the case diary. So, considering the aforesaid facts and circumstances of the case and submissions made on behalf of



the learned counsel for the petitioner, this Court is not inclined to enlarge the petitioner on bail.

8. Accordingly, the bail application of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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